

Before the State of South Carolina  
Department of Insurance

In the Matter of:	)	
	)	
Tiffany L. White	)	Consent Order
	)	Imposing Administrative Penalty
3871 Northside Drive, #B-2	)	
Macon, Georgia 31210.	)	File Number 1999217-004-020
_____	)	

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Tiffany L. White, a licensed South Carolina nonresident insurance adjuster.

White admits, and I hereby find as fact, that she changed her residential address and failed to notify the South Carolina Department of Insurance of this change as required. The failure to timely notify the Department of an address change is a direct violation of S.C. Code Ann. § 38-47-15 (Supp. 1999) that can ultimately lead to the revocation of White's license to transact business as an insurance adjuster in South Carolina pursuant to S.C. Code Ann. §§ 38-47-70 and 38-2-10 (Supp. 1999) following a public hearing at the Administrative Law Judge Division.

Prior to the initiation of any administrative proceedings by the Department against her, White and the Department agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision, rather than to proceed toward a formal public hearing. The consensual recommendation was that, in lieu of the Department seeking to revoke White's nonresident insurance adjuster's license, she would waive her right to a public hearing and immediately pay an administrative fine in the total amount of \$250.

Section 38-47-70 of the South Carolina Code states that the Director of Insurance may impose against an insurance adjuster any of the administrative penalties set forth in Section 38-2-10, including license revocation, when she determines that the insurance adjuster has violated the State's insurance laws. Section 38-47-15 requires an insurance adjuster to "notify the Department within thirty days of any change in [business or residence] addresses." After a thorough review of the record, carefully considering the recommendation of the parties, and pursuant to my findings of fact, I hereby conclude as a matter of law, that White has violated S.C. Code Ann. § 38-47-15 (Supp. 1999).

Although I can now revoke White's nonresident insurance adjuster's license, I hereby invoke the discretionary authority given to me and impose against her an administrative fine in the total amount of \$250, receipt of which is hereby acknowledged.

TW Tiffany L. White

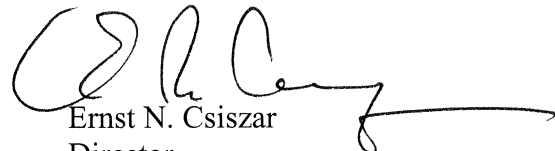
This administrative penalty has been reached by the parties as a result of negotiation and compromise, and it is made in light of this being White's first violation of the state's insurance laws and in consideration of White's assurance that in the future she will comply with the state's insurance laws, particularly that of timely notifying the Department of any changes in her business or personal addresses.

By her signature upon this consent order, White acknowledges that she understands that this administrative order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 1999). Nothing contained within this administrative order should be construed to limit, or to deprive any person of, any private right of action under the law. Nothing contained within this administrative order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement officer or judicial officer. Nothing contained within this administrative order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110 (Supp. 1999), of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is, therefore, ordered that Tiffany L. White shall pay through the South Carolina Department of Insurance an administrative fine in the total amount of \$250.

It is further ordered that a copy of this consent order be immediately transmitted to the National Association of Insurance Commissioners for distribution to its member states. This consent order becomes effective as of the date of my signature below.

February 17, 2000, at  
Columbia, South Carolina

  
Ernst N. Csiszar  
Director

I Consent:



Tiffany L. White  
3871 Northside Drive, #B-2  
Macon, Georgia 31210

Dated this 07 day of February, 2000.